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**From:** Wade, Alexis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5C9FBA2EF8444572A39185242B70593B-WADE, ALEXIS]  
**Sent:** 4/27/2018 2:02:14 PM  
**To:** Kupchan, Simma [Kupchan.Simma@epa.gov]  
**Subject:** RE: FL ESA Materials

Yeah that might be a good idea. I'm going to see if I break through later today and if not, I'll set something up.

Alexis Wade  
Attorney-Adviser  
Water Law Office  
EPA Office of General Counsel  
(202) 564-3273

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**From:** Kupchan, Simma  
**Sent:** Friday, April 27, 2018 8:42 AM  
**To:** Wade, Alexis <Wade.Alexis@epa.gov>  
**Subject:** RE: FL ESA Materials

By the way, if you're struggling, would it be easier to chat with Steve about it? When I was talking to him about WOTUS he mentioned we might find it easier to talk through his suggestions on FL. If you think that would be helpful, do you want to propose a time on Monday?

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
202-564-3105  
WJC North #7426Q

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**From:** Wade, Alexis  
**Sent:** Thursday, April 26, 2018 4:32 PM  
**To:** Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Subject:** RE: FL ESA Materials

I'm struggling a little bit with the MOA document. Ex. 5 AC/DP You may not get this before you leave, so I'm going to keep working on it tomorrow but I wanted to let you know.

Alexis Wade  
Attorney-Adviser  
Water Law Office  
EPA Office of General Counsel  
(202) 564-3273

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**From:** Kupchan, Simma  
**Sent:** Monday, April 23, 2018 3:32 PM  
**To:** Wehling, Carrie <Wehling.Carrie@epa.gov>  
**Cc:** Wade, Alexis <Wade.Alexis@epa.gov>  
**Subject:** RE: FL ESA Materials

Thanks, Carrie. Yes, I was thinking about Dawn as well. Alexis and I will discuss and let you know if it makes sense to reach out at this point.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
202-564-3105  
WJC North #7426Q

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**From:** Wehling, Carrie  
**Sent:** Monday, April 23, 2018 3:06 PM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>  
**Cc:** Wade, Alexis <[Wade.Alexis@epa.gov](mailto:Wade.Alexis@epa.gov)>  
**Subject:** RE: FL ESA Materials

Dropping Steve. Was Dawn going to help on this – wasn't sure whether she could help at this point or not. Anyway, just a thought. Let me know if I can assist.  
Carrie

Caroline (Carrie) Wehling  
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Water Law Office  
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**From:** Kupchan, Simma  
**Sent:** Monday, April 23, 2018 12:29 PM  
**To:** Neugeboren, Steven <[Neugeboren.Steven@epa.gov](mailto:Neugeboren.Steven@epa.gov)>  
**Cc:** Wehling, Carrie <[Wehling.Carrie@epa.gov](mailto:Wehling.Carrie@epa.gov)>; Wade, Alexis <[Wade.Alexis@epa.gov](mailto:Wade.Alexis@epa.gov)>  
**Subject:** RE: FL ESA Materials

Thanks for your review, Steve. I will coordinate with Alexis on these edits. It looks as if you are suggesting a meeting to go through them; is that right? Or do you want Alexis and me to try to address them first?

Thanks,

Simma Kupchan  
EPA Office of General Counsel  
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202-564-3105  
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**From:** Neugeboren, Steven  
**Sent:** Monday, April 23, 2018 11:40 AM  
**To:** Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>  
**Cc:** Wehling, Carrie <[Wehling.Carrie@epa.gov](mailto:Wehling.Carrie@epa.gov)>; Wade, Alexis <[Wade.Alexis@epa.gov](mailto:Wade.Alexis@epa.gov)>  
**Subject:** RE: FL ESA Materials

I have reviewed the document that have some comments. (David – in order to help move this process forward efficiently, please let us know if you have any reactions for, against, or in addition to my comments so the next draft can reflect them.)

Regarding process, I believe Matt wanted to be the principle in moving this through the system, so I think the next step would be to send this to Matt, and he can respond to it and choose to share it with Dave Ross and, if he is ready, the RA.

# Ex. 5 AC/DP

Steve Neugeboren  
Associate General Counsel for Water  
U.S. EPA  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202 (564-5488)

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**From:** Kupchan, Simma  
**Sent:** Friday, April 20, 2018 3:23 PM  
**To:** Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>  
**Cc:** Neugeboren, Steven <[Neugeboren.Steven@epa.gov](mailto:Neugeboren.Steven@epa.gov)>; Wehling, Carrie <[Wehling.Carrie@epa.gov](mailto:Wehling.Carrie@epa.gov)>; Wade, Alexis

<Wade.Alexis@epa.gov>

**Subject:** FL ESA Materials

David,

## **Ex. 5 Deliberative Process (DP)**

WLO drafted this paper jointly with R4. It has been reviewed in OW through John Goodin's level. Steve is still reviewing, but we wanted to send to you now to keep things moving. Please let us know if you have questions or edits, or if you would like to send directly to Matt for transmission to Dave Ross.

R4 is very eager to follow up with Florida. Once you review these documents and are comfortable with them, we will let Mary Walker in the Region know; she would like to transmit these documents to the R4 RA as soon as our Front Office is ready to send them to Dave.

Also, a side note:

**Ex. 5 AC/DP**

## **Ex. 5 AC/DP**

I am also attaching the current draft of the FL-EPA MOA, so that you can see where the proposed language might fit. The current draft is still rough, though, and undergoing negotiation and review.

Thanks for your attention, and, again, I'm more than happy to answer any questions. Thanks to Alexis for her help with this!

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